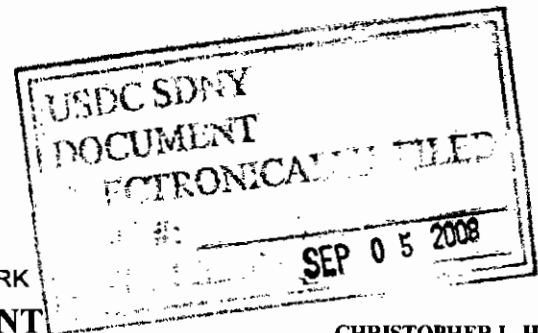




THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET, Room 2-125
NEW YORK, NY 10007



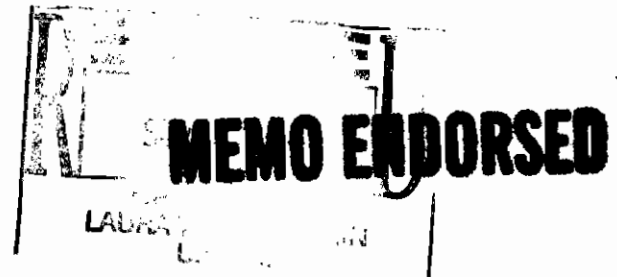
MICHAEL A. CARDOZO
Corporation Counsel

CHRISTOPHER L. HEER
Phone: (212) 788-0960
Fax: (212) 788-8877
Email: cheer@law.nyc.gov

September 2, 2008

BY REGULAR MAIL

Honorable Laura Taylor Swain
United States District Judge
United States Courthouse
500 Pearl Street, Room 755
New York, New York 10007



Re: Frenkel v. NYC Off-Track Betting Corporation
08 Civ. 6050 (LTS)(AJP)

Dear Judge Swain:

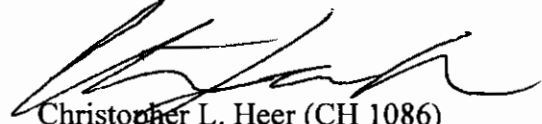
I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York and write on behalf of defendant New York City Off-Track Betting Corporation ("OTB") to request a thirty (30) day enlargement of time, from September 5, 2008 to October 6, 2008 to respond to the complaint. The reason for this request is that I have recently been assigned to a case scheduled for trial commencing on September 8, 2008, Shapiro v. New York City Dep't of Education et al., 06 Civ. 1836 (JSR). The eight plaintiff trial is anticipated to last for three weeks.

This is the defendant's second request for an enlargement of time to respond to the complaint. Defendant's first request for an enlargement of time was granted. Plaintiff's counsel, Bernard Weinreb consents to the request.

For the forgoing reasons, defendant respectfully requests an extension of time to October 6, 2008 to respond to the complaint.

Thank you for your consideration of this request.

Respectfully submitted,



Christopher L. Heer (CH 1086)
Assistant Corporation Counsel

cc: Bernard Weinreb, Esq.
Attorney for Plaintiff
2 Perlman Drive
Suite 301
Spring Valley, NY 10977

The request is granted

SO ORDERED.

NEW YORK, NY



LAURA TAYLOR SWAIN

Sept 5, 2008

UNITED STATES DISTRICT JUDGE